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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/582,854

06/14/2006

Kazuo Komori

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STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

CHARLES, MARCUS

ART UNIT

PAPER NUMBER

3682

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/582,854	Applicant(s) KOMORI, KAZUO	
	Examiner Marcus Charles	Art Unit 3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :6/14/07, 6/27/06, 3/14/07 & 7/24/07.

DETAILED ACTION

This is the first action relating to serial application number 10/582,854 filed 06-14-2006.

Claims 1-9 are currently pending.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohtsuki (6,929,331) in view of Wada et al. (US 2003/0190492). Ohtsuki discloses the claimed invention including the outer member (1), the inner member (2) formed with a double row raceway surface portions (5) on the outer peripheral surface thereof, double rows of rolling elements (3) between the opposed surfaces of the outer and inner members (1, 2), wherein the surface of the outer member is in contact with a member (14) that is made from aluminum, an electrically insulating layer (17) is provided at a surface area of contact between the outer member (1) and the member (14). Ohtsuk does not disclose the electrically insulating layer is an electrocorrosion preventive coating containing hexavalent chrome-free chromate. Wada et al. disclose the use of a corrosive resistant coating free of hexavalent chromium for improving, reducing toxic

and corrosive resistance even at high temperature. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the coating of Ohtsuki so that it is free of hexavalent chromium in view of Wada for reducing toxic and improving corrosive resistance even at high temperature.

In claims 2-3, note Ohtsuki discloses the claimed invention including the member (14) is a knuckle/housing.

In claim 4, not Wada et al discloses a first layer (12/ 18) and the chromate layer (16) overlaying the first layer.

In claim 5, Wada et al. discloses the use of resin which forms a film to further reduce corrosion resistance (see page 3, para 42-44).

In claim 6, Ohtsuki discloses the lower layer (12) includes zinc (see page 4, para. [0051]).

Claim Rejections - 35 USC § 103

4. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohtsuki in view of Wada et al. and Di Ponio (6,357,557). Ohtsuki and Wada et al. discloses the claimed invention as in paragraph 3 above, including a wheel mounting flange (2a) for supporting a rim of the vehicle wheel through a brake rotor (15) but does not disclose the brake rotor is made of aluminum alloy and the coating is provided on the surface of the flange (2a) that is in contact with the brake rotor. Di Ponio discloses a wheel bearing having a brake rotor that is made from aluminum alloys (see col. 3, lines 57-59). Therefore, it would have been obvious to one of ordinary skill I the art at the time of the invention to modify the brake rotor of Ohtsuki so that it is made from

aluminum alloy in view of Di Ponio, since it is well known in that aluminum alloy is used for its light weight and corrosive resistance without compromising strength. In addition, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a corrosive resistant coating on the contact area of the flange with the brake rotor in order to prevent the development of rust and atmospheric contaminant from forming in the contact area. In addition, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikes*, 86 USPQ 70.

Citation

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the prior art cited in attached PTO Form 892.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Charles whose telephone number is (571) 272-7101. The examiner can normally be reached on Monday-Thursday 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ridley Richard can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marcus Charles
/Marcus Charles/
Primary Examiner, Art Unit 3682